



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------|------------------------------|---|---------------------------|
| In re application of: | Daniel C. Birkestrand et al. | : | Date: July 31, 2003 |
| Group Art Unit: | Unassigned | : | IBM Corporation |
| Examiner: | Unassigned | : | Intellectual Property Law |
| Serial No.: | 10/616,676 | : | Dept. 917, Bldg. 006-1 |
| Filed: | July 10, 2003 | : | 3605 Highway 52 North |
| Confirmation No.: | Unassigned | : | Rochester, MN 55901-7829 |

Title: APPARATUS AND METHOD FOR
PROVIDING METERED CAPACITY
OF COMPUTER RESOURCES

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTO/SB/08A be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with

Serial No. 10/616,676
Docket No. ROC920030147US1

- 1 -

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /S.Z./

PATENT

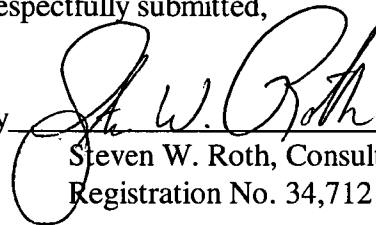
37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(1) within three months of the filing date of the present application. Accordingly no filing fee is required.

Date: July 31, 2003

Respectfully submitted,

By



Steven W. Roth, Consulting Attorney
Registration No. 34,712

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 31, 2003.


Debra A. Peterson

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10616676 - GAU:

PTO/SB/08A

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet _1_ of _1_

Application Number.: 10/616,676
Filing Date: July 10, 2003
First Named Inventor: Daniel C. Birkestrand et al
Art Unit: Unassigned
Examiner Name: Unassigned
Confirmation No.: Unassigned
Attorney Docket Number.: ROC920030147US1

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and or country where published. | T ² |
|----------------------|--------------------------|---|----------------|
| /S.Z./ | | iSeries Model 840 Manual, "V5R1 Planning Guide for Capacity Upgrade on Demand", October 10, 2001, pp. 1-29 | |
| /S.Z./ | | iSeries Model 830 Manual, "V5R1 Planning Guide for Capacity Upgrade on Demand", October 10, 2001, pp. 1-30 | |
| /S.Z./ | | IBM eServer iSeries 400 Presentation, "Capacity Upgrade on Demand", October 3, 2000 | |
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| Examiner Signature | /Scott Zare/ | Date Considered | 01/23/2008 |
|--------------------|--------------|-----------------|------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional).

² Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /S.Z./